



12-6-04

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PTO/SB/21 (04-04)  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/730549
		Filing Date	December 5, 2003
		First Named Inventor	Mary J. Laughlin
		Art Unit	1632
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	11	Attorney Docket Number	CWRU-P01-046

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	ROPES & GRAY LLP Ignacio Perez de la Cruz - 55,535
Signature	<i>Ignacio Perez de la Cruz</i>
Date	December 3, 2004

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Dated: December 3, 2004

Signature:

*Linda Blake*  
(Linda Blake)

Docket No.: CWRU-P01-046  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Laughlin et al.

Confirmation No.: 1488

Application No.: 10/730549

Art Unit: 1632

Filed: December 5, 2003

Examiner: Not Yet Assigned

For: CELL-BASED THERAPIES FOR ISCHEMIA

December 3, 2004

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each reference on the PTO/SB/08 is attached except U.S. patents and U.S. patent applications. Applicants submit that reference CPPP is an English language abstract of a publication in Chinese. Pursuant to 37 CFR § 1.98(3)(ii), Applicants submit that they are not in possession of an English-translation document.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this

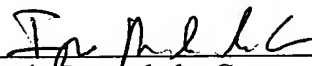
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It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement. Nevertheless, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. CWRU-P01-046. A duplicate copy of this paper is enclosed.

Dated: December 3, 2004

Respectfully submitted,

By   
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PTO/SB/08a/b (08-03)

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Sheet	1	of	5	Attorney Docket Number	CWRU-P01-046

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-2003/0064519	05-30-2002	Bruder et al.	
	AB	US-6,387,367	05-14-2002	Davis-Sproul et al.	
	AC	US-5,733,542	03-31-1998	Haynesworth et al.	
	AD	US-6,010,696	01-04-2000	Caplan et al.	
	AE	US-5,591,625	01-07-1997	Gerson et al.	
	AF	US-2003/0180705	09-25-2003	Murohara et al.	
	AG	US-2003/0152558	08-14-2003	Luft et al.	
	AH	US-5,486,359	01-23-1996	Caplan et al.	
	AI	US-2003/0148952	08-07-2003	Crombreholme et al.	
	AJ	US-2004/0131585	07-08-2004	Itescu	
	AK	US-5,612,211	03-18-1997	Wilson et al.	
	AL	US-5,652,225	07-29-1997	Isner	
	AM	US-2003/0199464	10-23-2003	Itescu	
	AN	US-6,676,937	01-13-2004	Isner et al.	
	AO	US-2003/0232050	12-18-2003	Isner et al.	
	AP	US-2001/0051372	12-13-2001	Yin et al.	
	AQ	US-5,843,633	12-01-1998	Yin et al.	
	AR	US-6,586,192	07-01-2003	Peschle et al.	
	AS	US-2002/0051762	05-02-2002	Rafii et al.	
	AT	US-2002/0164794	11-07-2002	Wernet	
	AU	US-2003/0148512	08-07-2003	Fanslow, III et al.	
	AV	US-2002/0168765	11-14-2002	Prockop et al.	
	AW	US-6,387,369	05-14-2002	Pittenger et al.	
	AX	US-6,461,645	10-08-2002	Boyse et al.	
	AY	US-6,429,012	08-06-2002	Kraus et al.	
	AZ	US-5,654,186	08-05-1997	Cerami et al.	
	AAA	US-2003/0091547	05-15-2003	Edelberg et al.	
	ABB	US-5,980,887	11-09-1999	Isner et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	6
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO 89/03875	05-05-1989	Thomas Jefferson University		
	BB	WO 92/07573	05-14-1992	Somatix Therapy Corporation		
	BC	WO 93/13807	07-22-1993	Georgetown University		
	BD	WO 96/06933	03-07-1996	Sandoz Ltd.		
	BE	WO 97/12519	04-10-1997	St. Elizabeth's Medical Center of Boston, Inc.		
	BF	WO 97/30083	08-21-1997	Novartis AG		
	BG	WO 99/37751	07-29-1999	Imclone Systems Incorporated		
	BH	WO 01/94420	12-13-2001	The Trustees of Columbia University in the City of New York		
	BI	WO 03/078610	09-25-2003	Miltenyi Biotec GMBH		
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BJ	WO 99/37751	07-29-1999	Imclone Systems Incorporated	
BK	WO 03/095631	11-20-2003	Fondazione Centro San Raffaele Del Monte Tabor	
BL	WO 00/12683	03-09-2000	New York University	
BM	WO 03/070083	08-28-2003	Cornell Research Foundation	

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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>2</sup>
	CA	OSMAN et al., "Cardiac Cell Transplantation: Closer to Bedside", Ann Thorac Surg 2003; 75: S674-7		
	CB	MINGUELL et al., "Biology and clinical utilization of mesenchymal progenitor cells", Braz J Med Biol Res, 2000, 33(3):881-887		
	CC	MINGUELL et al., "Mesenchymal Stem Cells", Exp Biol Med Vol. 226(6):507-520.		
	CD	SUKHIKH et al., "Mesenchymal Stem Cells", Bulletin of Experimental Biology and Medicine, 2002, 133(2):103-109		
	CE	FIBBE et al., "Mesenchymal Stem Cells and Hematopoietic Stem Cell Transplantation", 2003, Ann. N.Y. Acad Sci, 996:235-244		
	CF	VILKIN et al., "Cell Transplantation for Post-Ischemic Heart Failure", Archives des Maladies du Cœur et des Vaisseaux, 2002, 95(12):1219-1225		
	CG	ITESCU et al., "Myocardial Neovascularization by Adult Bone Marrow-Derived Angioblasts: Strategies for Improvement of Cardiomyocyte Function", Ann Hematol. 2002;81 Suppl 2:S21-S25		
	CH	YANG et al. Zhonghua Yi Xue Za Zhi, "Transplantation of cord blood endothelial progenitor cells ameliorates limb ischemia" 2003, 83(16) (Abstract)		
	CI	ERICES et al., "Human cord-blood-derived mesenchymal stem cells home and survive in the marrow of immunodeficient mice after systemic infusion", Cell Transplant, 2003, 12(6):555-61.		
	CJ	RAFII et al., "Therapeutic stem and progenitor cell transplantation for organ vascularization and regeneration", Nature Medicine, 2003, 9(3):702-712		
	CK	ANKER et al., "Nonexpanded primary lung and bone marrow-derived mesenchymal cells promote the engraftment of umbilical cord blood-derived CD34(+) cells in NOS/SCID mice", Exp Hematol. 2003. 31(10)		
	CL	RODRIGUEZ-MANZANEQUE et al., "Thrombospondin-1 suppresses spontaneous tumor growth and inhibits activation of matrix metalloproteinase-9 and mobilization of vascular endothelial growth factor", PNAS, 2001, 98(22):12485-12490		
	CM	WYNTER et al., "CD34+AC133+ Cells Isolated from Cord Blood are Highly Enriched in Long-Term Culture-Initiating Cells, NOD/SCID-Repopulating Cells and Dendritic Cell Progenitors, Stem Cells, 1998, 16:387-396.		
	CN	BURT et al., "Hematopoietic stem cell transplantation for cardiac and peripheral vascular disease", Bone Marrow Transplantation, 2003, 32:S29-S31.		
	CO	LAZARUS et al., "Human Bone Marrow-Derived Mesenchymal (Stomal) Progenitor Cells		

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		(MPCs) Cannot Be Recovered from Peripheral Blood Progenitor Cell Collections", Journal of Hematotherapy, 1997, 6:447-455.	
CP	LAZARUS et al., "Ex vivo expansion and subsequent infusion of human bone marrow-derived stromal progenitor cells (mesenchymal progenitor cells): implications for therapeutic use", Bone Marrow Transplantation, 1995, 16:557-564		
CQ	JAISWAL et al., "Osteogenic Differentiation of Purified, Culture-Expanded Human Mesenchymal Stem Cells In Vitro", Journal of Cellular Biochemistry, 1997, 64:295-312.		
CR	TATEISHI-YUYAMA et al., "Therapeutic angiogenesis for patients with limb ischaemia by autologous transplantation of bone-marrow cells: a pilot study and a randomized controlled trial", The Lancet, 2002, 360:427-435		
CS	KOC et al., "Rapid Hematopoietic Recovery After Coinfusion of Autologous-Blood Stem Cells and Culture-Expanded Marrow Mesenchymal Stem Cells in Advanced Breast Cancer Patients Receiving High-Dose Chemotherapy", Journal of Clinical Oncology, 2000, 18(2):307-316.		
CT	ANKOMA-SEY et al. (1998). "Coordinated induction of VEGF receptors in mesenchymal cell types during rat hepatic wound healing." Oncogene 17(1): 115-21.		
CU	ASAHARA et al. (1999). "Bone marrow origin of endothelial progenitor cells responsible for postnatal vasculogenesis in physiological and pathological neovascularization." Circ Res 85(3): 221-28.		
CV	ASAHARA et al.. (1999). "VEGF contributes to postnatal neovascularization by mobilizing bone marrow-derived endothelial progenitor cells." EMBO J 18(14): 3964-72.		
CW	BARRY F et al. (2001). "The SH-3 and SH-4 antibodies recognize distinct epitopes on CD73 from human mesenchymal stem cells." Biochem Biophys Res Commun 289(2): 519-24.		
CX	BARRY FP et al. (1999). "The monoclonal antibody SH-2, raised against human mesenchymal stem cells, recognizes an epitope on endoglin (CD105)." Biochem Biophys Res Commun 265(1): 134-9.		
CY	CHAUHAN A et al. (1996). "Aging-associated endothelial dysfunction in humans is reversed by L-arginine." J Am Coll Cardiol 28(7): 1796-1804.		
CZ	CHENG T., (2002). "Cell cycle entry of hematopoietic stem and progenitor cells controlled by distinct cyclin-dependent kinase inhibitors." Int J Hematol 75(5): 460-5		
CAA	D'APUZZO et al. (1997). "The chemokine SDF-1, stromal cell-derived factor 1, attracts early stage B cell precursors via the chemokine receptor CXCR4." Eur J Immunol 27(7): 1788-93		
CBB	FLEMING et al. (1998). "Monoclonal antibody against adult marrow-derived mesenchymal stem cells recognizes developing vasculature in embryonic human skin." Dev Dyn 212(1): 119-32		
CCC	GEHLING et al. (2000). "In vitro differentiation of endothelial cells from AC133-positive progenitor cells." Blood 95(10): 3106-12		
CDD	GILL et al. (2001). "Vascular trauma induces rapid but transient mobilization of VEGFR2(+)AC133(+) endothelial precursor cells." Circ Res 88(2): 167-74		
CEE	GU et al. (2000). "Association of extracellular matrix proteins fibulin-1 and fibulin-2 with fibronectin in bone marrow stroma." Br J Haematol 109(2): 305-13		
CFF	HARTLAPP et al. (2001). "Fibrocytes induce an angiogenic phenotype in cultured endothelial cells and promote angiogenesis in vivo." FASEB J 15(12): 2215-24		
CGG	HAYNESWORTH et al. (1996). "Cytokine expression by human marrow-derived mesenchymal progenitor cells in vitro: effects of dexamethasone and IL-1 alpha." J Cell Physiol 166(3): 585-92		
CHH	HAYNESWORTH et al. (1992). "Characterization of cells with osteogenic potential from human marrow." Bone 13(1): 81-8		
CII	KALKA et al. (2000). "Transplantation of ex vivo expanded endothelial progenitor cells for therapeutic neovascularization." Proc Natl Acad Sci U S A 97(7): 3422-7		
CJJ	KAWAMOTO et al. (2001). "Therapeutic potential of ex vivo expanded endothelial progenitor cells for myocardial ischemia." Circulation 103: 634-637		
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CKK	Copy of international search report from corresponding PCT Application No. PCT/US03/38969	
CLL	KLEIN et al. (1995). "Collagen type VI in the human bone marrow microenvironment: a strong cytoadhesive component." Blood 86(5): 1740-8	
CMM	LAUGHLIN et al. (2001). "Hematopoietic engraftment and survival after unrelated donor umbilical cord blood (UCB) transplantation in adult recipients." New Engl J Med 344(24): 1815-22	
CNN	MANDEL et al. (2001). "Isolation and Culture Expansion of Endothelial Progenitor Cells From UCB Using a Simple Selection Process." Blood 98(11): 55b (Abstract)	
COO	OHTA et al. (1998). "Suppression of hematopoietic activity in tenascin-C-deficient mice." Blood 91(11): 4074-83	
CPP	PIERELLI et al. (2001). "CD105 (endoglin) expression on hematopoietic stem/progenitor cells." Leuk Lymphoma 42(6): 1195-206	
CQQ	RIBATTI et al. (1995). "Endogenous basic fibroblast growth factor is implicated in the vascularization of the chick embryo chorioallantoic membrane." Dev. Biol. 170: 39-49	
CRR	RUBINSTEIN et al. (1998). "Outcomes among 562 recipients of placental-blood transplants from unrelated donors [see comments]." New England Journal of Medicine 339(22): 1565-1577	
CSS	SHI et al. (1999). "Evidence for circulating bone marrow-derived endothelial cells." Blood 92: 362-367	
CTT	TSCHUDI et al. (1996). "Effect of age on kinetics of nitric oxide release in rat aorta and pulmonary artery." J Clin Invest 98(4): 899-905	
CUU	WANG et al. (2002). "Receptor tyrosine kinase, EphB4 (HTK), accelerates differentiation of select human hematopoietic cells." Blood 99(8): 2740-7	
CVV	ZHANG X et al. (2001). "Regulation of vascular endothelial growth factor by the Wnt and K-ras pathways in colonic neoplasia." Cancer Res 61(16): 6050-4	
CWW	YIN et al. (1997). "AC133, a Novel Marker for Human Hematopoietic Stem and Progenitor Cells." Blood 90(12):5002-12	
CXX	BUHRING et al. "Expression of Novel Surface Antigens on Early Hematopoietic Cells." (1999) Ann NY Acad Sci 99 872:25-39	
CYY	MAJKA et al. "Expression, regulation and function of AC133, a putative cell surface marker of primitive human haematopoietic cells." (2000) Folia Histochem Cytobiol. 38:53-63	
CZZ	ERICES et al. "Mesenchymal progenitor cells in human umbilical cord blood." (2000) Br. J Haematol 109(1):235-42	
CAAA	STRAUER B et al. "Repair of Infarcted Myocardium by Autologous Intracoronary Mononuclear Bone Marrow Cell Transplantation in Human." (2002) Circulation 1913-1918	
CBBB	ASSMUS B et al. "Transplantation of Progenitor Cells and Regeneration Enhancement in Acute Myocardial Infarction (TOPCARE-AMI)." (2002) Circulation 106:3009-3017	
CCCC	AMRANI D et al. "Cardiovascular disease: potential impact of stem cell therapy." (2003) Expert Rev. Cardiovasc. Ther. 1(3), 453-461	
CDDD	HRISTOV, M et al. "Endothelial Progenitor Cells." (2003) Arterioscler Thromb Vasc Biol. 1185-1189.	
CEEE	STAMM, C et al. "Autologous bone-marrow stem-cell transplantation for myocardial regeneration." (2003) The Lancet, Vol. 361. 45-46	
CFFF	KAWAMOTO, A et al. "Transplantation of endothelial progenitor cells for therapeutic neovascularization." (2002) Cardiovascular Radiation Medicine 3, 221-225	
CGGG	MUROHARA, T et al. "Transplanted cord blood-derived endothelial precursor cells augment postnatal neovascularization." (2000) The Journal of Clinical Investigation Vol. 105, No. 11, 1527-1536	
CHHH	REHMAN, J et al. "Peripheral Blood "Endothelial Progenitor Cells" Are Derived From Monocyte/Macrophages and Secrete Angiogenic Growth Factors." (2003) Circulation, 1164-1169	
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	CIII	YANG, C et al. "Enhancement of neovascularization with cord blood CD133+ cell-derived endothelial progenitor cell transplantation." (2003) Vascular Development and Vessel Remodeling, 1202-1212	
	CJJJ	GOUSSETIS, E. et al. "Kinetics of quiescent cord blood stem/progenitor cells with high proliferative potential in stem-cell expansion culture." 1: Cytotherapy, 2003; 5(6): 500-8	
	CKKK	BOXBERGER, O et al. "Mesenchymal stem cells can be differentiated into endothelial cells in vitro." 1: Stem Cells, 2004; 22(3):377-84	
	CLLL	TULI, R et al. "Characterization of multipotential mesenchymal progenitor cell derived from human trabecular bone." 1: Stem Cells, 2003; 21(6):681-93	
	CMMM	SUVA, D. et al. "Non-hematopoietic human bone marrow contains long-lasting, pluripotent mesenchymal stem cells." 1: J Cell Physiol. 2004 Jan; 198(1):110-8	
	CNNN	KUWANA, M. et al. "Human circulating CD14+ monocytes as a source of progenitors that exhibit mesenchymal cell differentiation." 1: J Leukoc Biol. 2003 Nov; 74(5):833-45 (Abstract only)	
	COOO	COVAS, D.T. et al. "Isolation and culture of umbilical vein mesenchymal stem cells." 1: Braz J Med Biol Res. 2003 Sep; 26(9): 1179-83 (Abstract only)	
	CPPP	HAO, S.G, et al. "Studies on the dynamics of biological characteristics of CD133+ cells from human umbilical cord blood during short-term culture." 1:Zhongguo Shi Yan Zue Ye Xue Za Zhi. 2003 Dec; 11(6):569-75 (Abstract only)	
	CQQQ	CHEN, J et al. "Number of activity of endothelial progenitor cells from peripheral blood in patients with hypercholesterolemia." 1: Clin Sci (Lond). 2004 Apr 20	
	CRRR	BURGER et al. "Fibroblast growth factor receptor-1 is expressed by endothelial progenitor cells" Blood. 2002 15;100(10):3527-35	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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